

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA)	
)	
v.)	CRIM. ACT. NO. 21-53-LPS
)	
JAMES CROSSAN,)	CRIM ACT. NO 21-40-LPS
Defendant.)	

UNOPPOSED MOTION TO MERGE CASES AND DISMISS FELONY INFORMATION

NOW COMES, the United States of America, by and through its attorneys, David C. Weiss, United States Attorney for the District of Delaware, and Carly Hudson, Assistant United States Attorney, and hereby moves this Honorable Court to merge Criminal Action Numbers 21-40-LPS and 21-53-LPS under case caption 21-53-LPS, and to dismiss the Felony Information appearing at Criminal Action Number 21-40-LPS, Docket Entry 35. In support of this application, the government offers the following:

1. On June 10, 2020, a Criminal Complaint was filed against James Crossan, charging him with one count of Attempted Coercion and Enticement of a Minor, in violation of Title 18, United States Code, Section 2422(b). The Criminal Complaint was docketed under Magistrate Case Number 20-122 at D.I. 3. Thereafter, Crossan agreed to extend the Indictment deadline while the parties discussed potential non-trial resolutions to the matter.

2. On June 4, 2021, upon defense counsel's representation that Crossan was prepared to plead guilty, the government filed a Felony Information, charging Crossan with one count of Receipt of Child Pornography, in violation of Title 18, United States Code, Section 2252A(a)(2) and (b). The case was assigned Criminal Action Number 21-40-LPS, and the Felony Information was docketed at D.I. 35.

3. On July 27, 2021, upon defense counsel's representation that Crossan would not agree to further extensions of the Indictment deadline, the Grand Jury for the District of Delaware returned an Indictment charging Crossan with two counts of Attempted Coercion and Enticement of a Minor, in violation of Title 18, United States Code, Section 2422(b). The Indictment was assigned Criminal Action Number 21-53-LPS and appears at D.I. 1.

4. Criminal Action Number 21-53-LPS is a continuation of the same case which appears at Criminal Action Number 21-40-LPS. As such, the government requests, and the defense does not oppose, that the two cases be merged under Criminal Action Number 21-53-LPS, and that Criminal Action Number 21-40-LPS be closed.

5. The Indictment appearing at Criminal Action Number 21-53-LPS, D.I. 1, is now the operative charging instrument. As such, the government requests, and the defense does not oppose, that the Felony Information appearing at Criminal Action Number 21-40-LPS be dismissed.

Dated this 20th day of August, 2021.

Respectfully submitted,

DAVID C. WEISS
United States Attorney

By: /s/ Carly A. Hudson
Carly A. Hudson
Assistant United States Attorney

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ORDER TO MERGE CASES AND DISMISS FELONY INFORMATION

Having considered the government's unopposed Motion to Merge Cases and Dismiss Felony Information,

IT IS HEREBY ORDERED this _____ day of _____, 2021, that Criminal Action Numbers 21-40-LPS and 21-53-LPS shall be merged under Criminal Action Number 21-53-LPS, and that Criminal Action Number 21-40-LPS shall be closed.

IT IS HEREBY FURTHER ORDERED that the Felony Information appearing at Criminal Action Number 21-40-LPS, D.I. 35, is DISMISSED, in light of the now-operative Indictment appearing at Criminal Action Number 21-53-LPS, D.I. 1.

Honorable Leonard P. Stark
United States District Judge